



INTERNATIONAL TAXATION

Second Term, 2000-2001

Instructor: J. Scott Wilkie

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- Congressional Documents “JCT Reports on International Taxation” – Tax Notes International July 5, 1999
- “Harmful Tax Competition: An Emerging Global Issue” Synthesis and Summary of Recommendations – OECD
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- “International Initiatives of Electronic Commerce”
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- “International Tax Policy Directions: Some Thoughts on Recent Canadian Experience” by J. Scott Wilkie and Robert Raizenne

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- Interpretation Bulletin IT-343R – Meaning of the Term Corporation

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- “Are Tax Treaties Necessary?” by John F. Avery Jones
- “Interpretation of Treaties” – Vienna Convention of the Law of Treaties, May 23, 1969
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